

AT A REGULAR MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON TUESDAY, APRIL 3, 2007.

**Board Members Present:** *John F. Coates, Chairman*  
*Steven E. Nixon, Vice-Chairman*  
Larry W. Aylor  
William C. Chase, Jr.  
Sue D. Hansohn  
Brad C. Rosenberg  
Steven L. Walker

**Staff Present:** Frank T. Bossio, County Administrator  
J. David Maddox, County Attorney  
Valerie H. Lamb, Finance Director  
John C. Egertson, Planning Director  
Peggy S. Crane, Deputy Clerk

**CALL TO ORDER**

Mr. Coates, Chairman, called the meeting to order at 10:00 a.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Mr. Walker led the members of the Board and audience in the Pledge of Allegiance to the flag.

**RE: APPROVAL OF AGENDA - ADDITIONS AND/OR DELETIONS**

Mr. Bossio asked that the following item be added to the **CLOSED SESSION:** 6. Under *Virginia Code* §2.2-3711(A)(7) and (A)(30), for discussion with legal counsel and staff regarding review and potential amendment of a contract with a nongovernmental agency, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

Mr. Bossio announced that the heading of the March 6, 2007 a.m. meeting had been corrected to reflect the correct date of that meeting.

Mr. Nixon moved, seconded by Mr. Walker, to approve the agenda as amended.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

**APPROVAL OF MINUTES**

The minutes of the February 6, 2007 evening meeting and March 6, 2007 regular meetings were presented to the Board for approval.

Mr. Nixon moved, seconded by Mrs. Hansohn, to approve the minutes as corrected.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

### **CONSENT AGENDA**

Mr. Bossio reviewed the following Consent Agenda items with the Board:

- a. The Board will consider a motion to ratify approval of a Resolution Requesting the Governor to Delay Implementation of SB 840 and HB 2707.
- b. The Board will consider a motion to ratify approval of a Letter Requesting Governor Kaine to return to the General Assembly the Substitute HB 3068 and SB 1416, Electricity Re-regulations in Virginia.
- c. The Board will consider a request from the Risk Manager for a budget transfer from Operational Transfers to the Buildings and Grounds budget to cover an unexpected overage in insurance premiums for FY07 in the amount of \$29,043.
- d. The Board will consider a proclamation declaring the week of April 15 - 21, 2007 as Culpeper Reads Week.
- e. The Board will consider approving a request from the Sheriff's Office to make application for a grant from the Division of Motor Vehicles (DMV) in the amount of \$65,876. Local match required in the amount of \$13,820 and these funds will come from the Sheriff's Operating budget. The funding will be used for overtime for traffic enforcement and related equipment.
- f. The Board will consider acceptance and appropriation of a grant for the Sheriff's Office from the Department of Criminal Justice Services in the amount of \$1,329. The grant funding will be used for self-defense training tactics and techniques for women. Local match required is \$148 and these funds would come from the Sheriff's Operating budget.

Mr. Chase moved, seconded by Mr. Nixon, to approve the Consent Agenda as presented.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

### **GENERAL COUNTY BUSINESS**

#### **INTRODUCTION OF NEW EMPLOYEES**

Mrs. Linda Murphy, Senior Extension Agent, Family and Consumer Sciences, introduced Ms. Cristy Nibblins, 4-H Agent, and provided background information on her education and work experience.

Mr. Bill Myers, Building Official, introduced Mr. Keith Kendall, Residential Building Inspector, and Mr. John O'Quinn, Residential Building Inspector/Electrical Plan Reviewer, and provided background information on their work experience.

On behalf of the Board, Mr. Coates welcomed each new employee to the County and the community.

**CONSIDERATION OF REQUEST FROM THE SCHOOL SYSTEM TO ADVERTISE FOR A PUBLIC HEARING FOR \$7.5 MILLION CONSTRUCTION FUNDS FOR THE NEW YOWELL ELEMENTARY SCHOOL**

Mr. Bossio stated that the Board would consider a request from the School System to advertise for a public hearing in order to appropriate the remaining \$7.5 million construction funds for the Yowell Elementary School. He also stated that in the interim, the School Board requested that the Board adopt a resolution affirming its intent to appropriate these funds for the new school so that a construction contract could be entered into with the lowest bidder no later than April 16, 2007. He noted that Mr. David Maddox, County Attorney, had reviewed the resolution and made appropriate changes. He asked the Board to consider the request to advertise for a public hearing at the May meeting and to approve the resolution presented.

Mr. Chase moved, seconded by Mrs. Hansohn, to approve the request to advertise for a public hearing for the appropriation of \$7.5 million construction funds for the Yowell Elementary School.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

At Mr. Coates's request, Mr. Bossio to read the following resolution into the record:

***CULPEPER COUNTY, VIRGINIA  
Resolution of the Culpeper County Board of Supervisors Approving Funding of  
Yowell Elementary School***

**WHEREAS**, the Culpeper County Board of Supervisors has worked diligently to move forward the concept of an elementary school to be known as Yowell Elementary School ("the Project"), scheduled to open in the fall of 2008; and

**WHEREAS**, At the request of the Culpeper County Board of Supervisors, the Yowell

Elementary School is to be constructed in lieu of a 10 classroom addition at the Farmington Elementary School; and

**WHEREAS**, the Culpeper County Board of Supervisors has in a timely manner, appropriated to the Culpeper County School Board \$7.4 million for the construction of the Project, an amount that will fund one half of total Project costs; and

**WHEREAS**, the Culpeper County School Board previously issued an Invitation to Bid for the construction of the Project and opened sealed bids submitted in response to the Invitation for Bid on March 29, 2007; and

**WHEREAS**, the Culpeper County School Board adopted a resolution on February 26, 2007 in which it recited that the project team of Crabtree, Rohrbaugh & Associates guaranteed on-time delivery of the completed Project contingent upon the Culpeper County School Board complying with a bid opening date of March 29, 2007 and a contract award date of April 16, 2007; and

**WHEREAS**, the Culpeper County School Board, in its resolution of February 26, 2007, requested that the Culpeper County Board of Supervisors appropriate funding for the balance of the Project costs; and

**NOW, THEREFORE BE IT RESOLVED**, that the Culpeper County Board of Supervisors approves of and endorses the action of the Culpeper County School Board to move forward to award a contract for the construction of the Project to the lowest responsible and responsive bidder by no later than April 16, 2007; and further be it

**RESOLVED**, that the Culpeper County Board of Supervisors once again reinforces and hereby expresses its intent to fully fund the remaining \$7.5 million the Culpeper County School Board thereby completing the funding obligation.

**BE IT SO RESOLVED THIS 3<sup>rd</sup> DAY OF April 2007.**

VOTING AYE: Larry W. Aylor, William C. Chase, Jr., John F. Coates, Sue D. Hansohn, Steven E. Nixon, Brad C. Rosenberger, Steven L. Walker

VOTING NAY: None

ABSTAINING: None

ABSENT: None

Witness this signature and seal.

John F. Coates, Chairman  
Board of Supervisors of Culpeper County, Virginia  
DATE:

ATTEST:

Frank T. Bossio, Clerk

Mr. Walker moved, seconded by Mr. Aylor, to approve the resolution as read.

Mr. Chase questioned the need for a public hearing since the resolution indicated approval by the Board.

Mr. David Maddox, County Attorney, explained that the need for a resolution was called to his attention by Mr. G. Rodney Young II, the School Board's attorney, as

something that the general contractor required prior to signing a contract. He stated that the changes he had made indicated the resolution was a statement of intent and did not bind the Board to an appropriation of funds.

Mr. Chase called the question.

Mrs. Hansohn stated that in the future, there needed to be a time line for scheduling public hearings so that the Board would not have to take additional and unnecessary steps in the process. Mr. Maddox indicated that the request from the School Board was received too late to schedule a public hearing for the May meeting. Mrs. Hansohn said she understood the reason, but felt that proper planning could have alleviated the need for a resolution.

Mr. Bossio stated that the School Board attended the April Board meeting and publically asked that the Board appropriate the funds at its May meeting, but the written request was not received in time to schedule the public hearing.

Mrs. Hansohn called the question.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

**CONSIDERATION OF REQUEST TO ADVERTISE FOR A PUBLIC HEARING FOR \$3.9 MILLION FOR WATER AND SEWER AND ROAD IMPROVEMENTS TO THE NEW HIGH SCHOOL**

Mr. Bossio asked the Board to consider a request to advertise for a public hearing for \$3.9 million for water and sewer and road improvements to the new high school.

Mr. Walker asked for confirmation that the funds were already bonded and the request for a public hearing was to appropriate the funds. Mr. Bossio assured him he was correct.

Mr. Chase moved, seconded by Mr. Walker, to advertise for a public hearing for \$3.9 million for water and sewer and road improvements to the new high school.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

**UPDATE ON NEW JAIL CONSTRUCTION BY MOSELEY ARCHITECTS**

Mr. Bossio informed the Board that Mr. Cary Gill, Vice-President, Moseley

Architects, would update the Board on the status of the new jail construction.

Mr. Gill introduced Mr. Bruce McCloy, Timmons Group Civil Engineers, and Mr. Jeff Boehm, Shockey Contractors, who were in the audience.

Mr. Gill recalled that the Community-Based Corrections Plan and Planning Study that had been submitted to the State was approved in November 2006. The State established an acceptable budget from its perspective based on the fact that the forecast for the Community-Based Corrections Plan projected an inmate population for 2020 at 203, which was rounded to 204 for convenience of planning and the State had agreed to that number. He said using 204 as the base line, 89,000 square feet would be required for the new jail. He stated that comparing those figures with the current jail's 37 beds and 18,000 square feet attested to the overcrowded situation that currently existed and was growing by the day.

Mr. Gill displayed a copy of the plan for the State property on Route 615 in Mitchell, and indicated the location of Coffeewood, the juvenile facility and the proposed jail location in the north quadrant. He also displayed an enlargement of the jail location and indicated the parking lot and main entrance in the front, with service delivery to the rear. He stated that the inmates would be delivered to a vehicle sallyport on the back side of the jail and indicated the location of a perimeter loop road for access for fire and security vehicles, and two housing units for the inmates to the rear. He said the State encouraged localities to plan for expansion, and 50 percent reserve capacity had been built into the housing unit site which would not disrupt the kitchen, boiler building, etc. The housing units would be pods located around a central control unit, and the corridor could be extended to accommodate additional housing units in the future.

Mr. Gill reported that the budget was still in the \$27.5 million range, even with severe inflationary pressure on construction, and would total approximately \$33-plus million, including \$6 million in soft costs for testing, geotechnical reports, printing costs, advertising for bids, and architectural/engineering fees. He stated that the State had agreed, and the Board of Corrections had approved, \$7.847 million in their budget to reimburse 25 percent or their share of jail construction, but would not reimburse for items such as beds, mattresses, chairs, desks, tables, etc.

Mr. Bossio commented that it was his understanding of the budget amendment that the State funds would be carried forward from the time of the project, with interest added, so that the total reimbursement may be more than the amount approved by the State.

Mr. Gill stated that the next step would be for the County to proceed with an architect/engineer to start the design process and begin working at the State level to achieve the land transfer of 45 acres of land and the utilities and easements.

Mr. McCloy explained that a portion of the money for the offsite infrastructure was built into the funds for the jail for the cost of upsizing the water line to serve the facility, and the Department of Corrections (DOC) would pay the remainder of that money. He said that DOC had those funds in hand and was ready to execute that work. He stated that the Board would need to enter into a County-State agreement with the DOC whereby the responsibilities were assigned, such as the responsibilities of the DOC to pay for a portion of that line, and the responsibilities of the County to design the line, acquire easements, and execute the work.

Mr. Walker asked how the County should proceed in getting such an agreement in place for the water line extension. Mr. McCloy replied that the County should have its infrastructure teamwork with the DOC infrastructure people and agree on the technical terms. He said a sample draft of a County-State agreement could be used for that purpose.

Mr. Chase asked for a definition of "sallyport". Mr. Gill explained that a sallyport was a secure enclosed area, with two or more interlocked doors that controlled ingress and egress.

Mr. Maddox questioned how long it would take from the time of the contract to the design phase. Mr. Gill replied that it would take approximately 12 months. He said the plan called for design to begin in April 2007 and to end by December 2007, construction could be bid in February 2008, and construction completed by February 2010, with inmates housed by spring or summer of 2010.

Mr. Gill stated there were four means of construction delivery under State law: (1) Conventional design/bid/build where the low bidder wins, (2) design/build where a joint contractor and design team submits a concept or design at a fixed price; (3) construction manager where a contractor-type organization holds the subcontracts themselves; and (4) the Public Private Education and Infrastructure Act (PPEA) that allows a locality to construct a facility, with one solely designed contract that could be selected based on value as

opposed to low bid. He noted that options (2) and (3) required State approval, while option (4) did not.

Mr. Jeff Boehm explained PPEA and how it might apply to the jail project. He said that PPEA was an act that was passed in 2002 as another procurement tool for counties and State. He said it consisted of a solicited proposal via an RFP, or an unsolicited proposal where a group or team would approach a locality with an idea and the locality would evaluate that idea and enter into a comprehensive agreement. The Act actually contemplates a particular period for competition so there would be competing proposals to an unsolicited proposal. He stated that the purpose of the Act was essentially to get projects built in a more timely fashion as opposed to having to wait for the typical funding mechanisms that might accompany a particular project. He stated that generally the costs would be lower due to creative design and the ability to complete a project more quickly by eliminating some of the pressures of inflation. One unique portion of the Act was that it placed the locality at no risk until the point of the comprehensive agreement. He said the Act allowed a county to review proposals, make decisions based upon those proposals, and all risks were on the private sector up to the point of a comprehensive agreement.

Mr. Boehm stated that if the County were interested in PPEA, it would have to adopt procedures and hold an informational meeting to ensure there was a clear understanding of the project. The County could go forth and accept an unsolicited proposal for the construction of the jail. The acceptance of that proposal was not acceptance to build the facility, but was simply an acceptance that the proposal was of interest to the County. The County would have a 45-day minimum period to place the project out for bid for competitive proposals and, upon review of those competitive proposals, would have the opportunity once again to simply decline all of them or accept one of them, or the opportunity to accept multiple proposals, and take those teams forward into the detail phase.

Mr. Boehm explained that the whole process started over at the detail phase. The Act itself specified a large list of information that would be required in order to enable the County to make a proper decision and, at that point, the County could again review the proposals received at the detail phase and make a decision whether to proceed. If the County decided to proceed, it could enter into a comprehensive agreement with the appropriate team. He said that ultimately political and community support was very important to a PPEA project.



Mr. Boehm stated that Moseley and Shockey has successfully built three jail projects and were prepared to submit a proposal on the County's jail. He said they had no bonding limit so the size of the project was not a problem, and it had shown a proven track record of delivering on time and on budget. He asked the Board to consider PPEA as one of the procurement options available to move forward with the new jail.

Mr. Walker questioned how public education pertained to the new jail. Mr. Boehm replied that even though the Act was called the Public Private Education and Infrastructure Act, the title was misleading because any building that served a public need qualified under the Act.

Mr. Nixon asked what would need to be done to start the process if the Board were to elect to use PPEA. Mr. Boehm replied that once a determination was made by the Board to go the unsolicited route, nothing would need to be done in order to enable that, but should the Board decide on the solicited route, they would determine the actual requirements and issue the equivalent of an RFP for response by a particular time frame.

Mr. Nixon asked how much time could be saved if the Board should choose Moseley and Shockey. Mr. Gill replied that the PPEA route would probably not save more than six months. He explained that once the comprehensive agreement was approved, they would move into more of a fast track where concrete could be poured for footings, while the final design was being completed. He said it was important that the County proceed quickly with agreements with the State for water and easements because that could cause a delay.

Mr. Nixon questioned whether going the PPEA route would affect the County's borrowing capacity. Mr. Bossio assured him that it would not encumber County funds.

Mr. Gill suggested that the County proceed with meetings to develop a State-County agreement for the land and water/sewer and finalize that document. He said his group had a good idea of what the total needs were and was in a position to offer the County an unsolicited bid that would save a few months because the County could develop its own criteria without going the advertising route.

Mr. Walker pointed out that the County already had a PPEA Ordinance in place and suggested that Mr. Gill review that ordinance in the event his group wished to come forward with an unsolicited proposal.

Mr. Coates asked whether the elevation of the proposed jail site was higher than the Coffeewood and Juvenile Detention facilities. Mr. Gill replied that the jail site was actually

lower. Mr. Coates expressed his concern regarding the wet area during heavy rains and urged that be looked at very carefully. Mr. Gill assured him that drainage and positioning had been considered and would continue to be considered.

Mr. Coates thanked Mr. Gill, Mr. McCloy, and Mr. Boehm for their excellent presentation.

Mr. Coates recessed the meeting at 10:55 a.m.

Mr. Coates called the meeting back to order at 11:10 a.m.

**CONSIDERATION OF DATE FOR A PUBLIC HEARING ON BUDGET AND TAX RATE  
FOR FY 08 BUDGET**

Mr. Bossio asked the Board to consider a date for a public hearing on the budget and the tax rate for FY 08. He explained that after adjustments had been made due to updates from the Commissioner of the Revenue, the equalization rate had been raised from 51 cents to 52 cents and he was proposing that the budget include a four-cent tax increase to 56 cents to balance the budget. He asked for authorization to advertise a 59-cent rate to cover pending projects such as the new school and the jail. He stated that advertising three cents above the required rate of 56 cents would allow for adjustment when the budget hearing was held on April 17.

Mr. Chase stated that he would not support an increase of four cents and would like for the rate be advertised at 56 cents.

Mr. Chase moved, seconded by Mrs. Hansohn, to advertise the rate at 56 cents.

Mrs. Hansohn stated that she felt the rate should be lower than 56 cents, but felt that 56 cents was reasonable for advertising purposes and for discussion at the public hearing.

Mr. Nixon questioned whether the County Administrator was proposing that the equalized rate was going to be 52 cents across the board and the commensurate tax increase was based on the proposed budget. Mr. Bossio stated that was correct. Mr. Nixon stated that the motion was proposing four cents above the equalized rate of 52 cents. Mr. Chase replied that 56 cents was being proposed for advertising purposes.

Mr. Walker stated he realized that once the tax rate was advertised, the rate could not be increased in terms of the real estate tax. He questioned whether the real estate tax could be used to lower the personal property tax and whether the real estate tax could be increased for that purpose. Mr. Maddox stated that once the real estate rate was advertised, it could not be increased, and the reason the County Administrator had

recommended advertising at the higher rate was to provide that flexibility, but it could not be balanced against the personal property tax.

Mr. Walker stated he would not support the motion because he felt that the Board needed some flexibility at the time the personal property tax rate was set.

Mr. Chase said that while he understood Mr. Walker's comments, he felt that expenditures should be reduced to balance the budget.

Mr. Coates asked how much a one-cent increase would generate in revenue. Mr. Bossio replied that one cent generated approximately \$600,000. Mr. Coates added that four cents then would generate \$2.4 million. Mr. Bossio stated that was correct.

Mr. Aylor agreed with Mr. Walker, even though he would not support 59 cents, he felt that rate would provide flexibility for the Board to work toward what was best for the citizens.

Mr. Coates pointed out that in the past, the Board had been criticized for advertising at higher rates and then lowering them. He said he realized that the proposed advertisement was for four cents above what would be needed to balance the budget. Mr. Bossio stated that three cents would balance the budget but there were a number of projects on the horizon and he wanted to provide the Board with the flexibility to consider them.

Mr. Walker asked what the tax rate would be to fully fund the school budget. Mr. Bossio replied that the School budget was \$9.8 million and represented 17 cents for that portion of the budget, but approximately 14 to 15 cents of that could be attributed to the schools.

Mr. Walker stated that the tax rate would probably be advertised at 65 cents, rather than 59 cents, if it were to cover every request before the Board. Mr. Bossio pointed out that the rate would actually be 22 cents higher to fund everything requested.

Mr. Rosenberger stated that he saw no reason to advertise at 59 cents, which was three cents above the equalization rate to balance the budget, and he did not believe anyone on the Board would support that increase. Mr. Bossio clarified that four cents above the equalization rate would balance the budget being brought forward.

Mr. Rosenberger said he would not support the motion on the floor, but would consider a review of the personal property tax rate.

Mr. Nixon stated that while he agreed with the comments made by Mr. Chase and Mr. Rosenberger, advertising four cents above the equalized rate would represent \$2.4

million to be spread among all the requests. He said another \$1.8 million would be added at 59 cents, representing \$4.2 million, but that would not cover the Schools' anticipated needs in the coming year with the opening of the new school. He agreed with the County Administrator that the rate should be advertised at 59 cents to provide the latitude to address some unforeseen needs, but he would not support the motion for that reason.

Mr. Coates stated that while he would not vote for 59 cents, he would not support the motion on the floor because he would like to have the flexibility to consider the numbers in the budget.

Mr. Coates called for voice vote and a show of hands.

Ayes - Chase, Hansohn, Rosenberger

Nays - Aylor, Coates, Nixon, Walker

Motion failed 4 to 3.

Mr. Walker moved, seconded by Mr. Aylor, to accept the County's Administrator's recommendation to advertise at 59 cents.

Mr. Coates called for voice vote and a show of hands.

Ayes - Aylor, Coates, Nixon, Walker

Nays - Chase, Hansohn, Rosenberger

Motion carried 4 to 3.

Mr. Coates called for a discussion on the personal property tax rates.

Mr. Maddox recommended for advertising purposes that the rates remain the same as last year for the various personal property taxes.

Mr. Chase moved, seconded by Mr. Nixon, to advertise the personal property tax at the current rates.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

### **NEW BUSINESS**

### **COMMITTEE REPORTS**

#### **E-9-1-1 BOARD OF DIRECTORS REPORT - MARCH 8, 2007**

Mrs. Hansohn reported that the E-9-1-1 Board of Directors met and approved the FY 08 E-9-1-1 budget,

See Attachment #1 for details of meeting.

**BUILDING AND GROUNDS COMMITTEE REPORT - MARCH 13, 2007**

Mr. Aylor reported that the Buildings and Grounds Committee met and was forwarding the following recommendations to the full Board:

1. Recommending to the full Board to move forward with the design for the expansion of 12 classrooms at the Galbreath/Marshall Building within \$3 million dollar range; and
2. Recommending to the full Board to renovate the Wachovia Bank building for the purpose of moving the Registrar's Office into the building; and in the meantime Mr. Howard is to negotiate a short-term lease with the current landowner for the Registrar to remain at the current location until renovations were complete at the Wachovia Bank building;

Mr. Aylor asked Mr. Chris Hively to provide the Board with a report on the two recommendations.

Mr. Hively stated that the Committee was recommending that the Board move forward with the design for the expansion of 12 classrooms at the Galbreath/Marshall Building within a \$3 million range. He said there was \$650,000 in the Capital Improvement Plan, \$2 million in the current budget, and the Department of Human Services had committed to provide the additional \$350,000 in support of the project.

Mr. Chase asked whether the Schools had agreed to use the additional classrooms. Mr. Hively stated that the Schools had not committed to participate in the project.

Mr. Bossio reported that discussions were ongoing between the Department of Human Services and the Schools regarding the use of the additional classrooms. Dr. David Cox, Superintendent of Schools, was in the audience and nodded agreement to Mr. Bossio's comment.

Ms. Cindy Colson, Director of Head Start, and Ms. Dorenda Pullen, Director of the Culpeper County Child Care, were present. Ms. Colson stated that the expansion would be a blending of classrooms for the Head Start students and Culpeper County Child Care for their preschool program "First Step". She said that Head Start had a waiting list of 103 children. Ms. Pullen added that she had a waiting list of 115 children for the preschool program, which would bring the total to 218 families seeking preschool.

Mr. Aylor moved, second by Mr. Nixon, to move forward with the design for the expansion of 12 classrooms at the Galbreath/Marshall Building within a \$3 million dollar range.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Hively stated that the Committee also recommended that the Wachovia Bank building be renovated in order to accommodate the Registrar's Office and that staff negotiate a short-time lease with the current landowner for the Registrar to remain at the current location until construction had been completed at the Wachovia Bank building. He said that the work must be completed by October 1 to allow time for the Registrar to move into the new facility to prepare for the November election. He stated that a short-term lease had been negotiated with the current landowner for seven months (April 1- October 31, 2007) at \$1,666 per month versus the current cost of \$1,400 per month. He requested permission to enter into the short-term lease and to begin the design for the renovations of the facility.

Mr. Coates asked whether renovations for the County's other needs in the Wachovia Building would be done at the same time. Mr. Hively replied that the first phase would include installing the elevator, the lobby, and the Registrar's Office. Mr. Coates noted that the plan was to move the Commissioner of the Revenue and Treasurer into the Wachovia Building also. Mr. Hively stated that was correct.

Mrs. Hansohn asked what was the time line for the rest of the space to be renovated.

Mr. Hively was not sure. Mrs. Hansohn stated that \$3 million had been set aside in the CIP for the renovations and that amount may not need to be held depending upon the time line. Mr. Hively noted that the renovations for the Registrar's Office would cost \$300,000 and approximately \$500,000 for the others, and \$3 million for the entire renovations.

Mr. Coates asked whether a drive-up window was still a part of the plans. Mr. Aylor replied that was part of the plans, as well as space for storing the voting machines.

Mr. Chase asked how much the interior renovations would cost, including the architect. Mr. Hively stated he did not know and would check with Mr. Howard. Mr. Aylor added that the interior design was now being done, and the major costs involved would be bringing the building and its infrastructure up to code. He felt that it was a good investment for the County because there were so many existing features that could be used to advantage.

Mr. Aylor moved, seconded by Mr. Nixon, to move forward with the renovations of

the Wachovia Building so that the Registrar's Office could be relocated to that building prior to October 1.

Mr. Maddox pointed out that the Department of Justice had an interest in moving the Registrar's Office, and representatives of the Board of Elections were working with them to obtain their approval.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Aylor moved, seconded by Mr. Walker, to allow Mr. Howard to negotiate a short-term lease with the current landowner for the Registrar to remain at the current location until renovations were completed at the Wachovia Bank building.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #2 for details of meeting.

#### **RULES COMMITTEE REPORT - MARCH 13, 2007**

Mr. Walker reported that the Rules Committee met and was forwarding the following recommendations to the full Board:

1. Recommending to the full Board to approve the Central Area Mountain Biking Organization (CAMBO) agreement;
2. Recommending to the full Board to approve the Public Transportation Advisory Committee (PTAC) Bylaws;
3. Recommending to the full Board to approve the Personnel Management Plan (PMP) with recommended changes;
4. Converting from a 4-year to a 2-year general reassessment is being forwarded to the full Board without a recommendation;
5. The establishment of Motor Pool Committee is being forwarded to the full Board without a recommendation;
6. Recommending to the full Board to reimburse the Culpeper Recreation Foundation, Inc. \$1,205.85 for building permit fees paid; and

7. Recommending to the full Board that the Disability Services Board be authorized to apply for an RSIF Grant, and the 10 percent matching amount be transferred from operational funds up to \$1,500.00.

Mr. Walker stated that the first item from the Rules Committee was the recommendation to approve the Central Area Mountain Biking Organization (CAMBO) agreement.

Mr. Walker moved, seconded by Mr. Nixon, to approve the CAMBO agreement.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported the second item was consideration of the PTAC bylaws.

Mr. Maddox stated that the Board had been provided with a one-page summary containing the recommended change to Article VII of the by-laws, and Mr. Robert Bendall, Town Attorney, had approved it.

Mr. Walker moved, seconded by Mr. Nixon, to approve the PTAC by-laws as presented.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker stated that the Rules Committee had recommended acceptance of the revisions to the Personnel Management Plan.

Mr. Walker moved, seconded by Mr. Nixon, to approve the Personnel Management Plan revisions.

Mr. Nixon complimented the County staff for the thorough revision of the Personnel manual and thanked them for their hard work.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported that the next item to move forward for consideration was to convert from a four-year to a two-year reassessment, with no recommendation from the Rules Committee. He stated there were questions raised in the Committee regarding the cost estimates for a four-year versus a two-year reassessment. He said the Committee



would recommend moving forward to a two-year reassessment if there were not a significant difference in the cost factor.

Mrs. Terry Yowell, Commissioner of the Revenue, indicated that 2003 was the last time an independent contractor performed a general reassessment, and the bids received ranged in price from \$10.75 to \$17 per parcel, and at 17,260 parcels, the actual cost was \$202,654 or \$11.74 per parcel. In 2007 the general reassessment was done by the in-house Real Estate Division, at a total cost of \$373,544, including the full-time employees, part-time field workers, mileage, digital photos, data entry, clerical. There were 21,506 total parcels, an increase of 4,246 from 2003, and the cost per parcel was estimated at \$17.37, while the average independent contractor quote was \$20.17 per parcel.

Mrs. Yowell stated that the services provided by an independent contractor and the County staff were essentially the same since they were State-mandated, but there was a difference in the hearing process. In the past, there was one assessor with one phone line conducting the hearings for approximately three weeks, and there was in intangible improvement with the in-house using three assessors, multiple phone lines, and multiple schedules setting appointments for approximately four weeks. She said the current Real Estate Division consisted of a Senior Appraiser, Commercial Appraiser, Assistant Appraiser, Real Estate Transfer Clerk, Land Use/Tax Relief Administrator, Clerk, and part-time Data Entry Clerk.

Mrs. Yowell estimated that to conduct a two-year in-house reassessment cycle would cost \$453,266 or \$19.70 per parcel. This included the current staff added in FY 2006, hiring two full-time additional appraisers, and assessment notices and postage. She said the average current independent contractor quote was \$477,250 or \$20.75 per parcel. She proposed to substitute the part-time field data technicians and data entry clerks, with two full-time appraisers at approximately \$100,000 salary/benefits per year, which would eliminate the approximate \$230,000 spent in part-time services. She concluded that it would be less expensive to use the in-house staff versus contracting out.

Mrs. Yowell explained the reason to have a general reassessment was to establish equity and fairness and, the more time between general reassessment cycles, the more inequity occurred due to market changes, value fluctuations, etc., while less time between cycles equalized the inequity.

Mr. Chase pointed out that State law required that a reassessment be done every five years or four years and he did not see the need for a two-year reassessment.

Mrs. Hansohn felt that a change from a four-year to a two-year reassessment would avoid “sticker shock” for the citizens.

Mrs. Yowell noted that her staff had established a base by viewing all of the property in the County, picking up new construction and continuing to monitor activities within the County. She said to wait four years would require staff to start the process over again.

Mr. Nixon stated that in conducting a four-year appraisal, a lot of the data would have to be updated, whereas for a two-year appraisal, data would be kept current with information from the Building Official and other sources and require a review of only two years. He said with a four-cycle more review and labor and a more intense process would be involved. He felt that staff would be able to capture fluctuations in the market and not experience such a large change in waiting for a four-year cycle. He added that the State required localities to be within 70 percent of market value, and currently the County was at 50 percent. Mrs. Yowell stated that the sales ratio had declined approximately 50 percent.

Mr. Nixon stated that the two-year cycle would maintain a more even balance and be less expensive in the long run with in-house staff as opposed to having the part-time data collectors.

Mrs. Yowell said that one of the things to keep in mind was the public service utility contribution and when the sales ratio was driven down, their contribution to the revenue base also went down. She said that over the past four years, the County had probably lost enough revenue on behalf of public service utility to pay for a general reassessment two times.

Mr. Walker asked about the time line in moving toward a two-year reassessment. Mrs. Yowell replied that an ordinance would have to be adopted to allow for an infrequent general reassessment effective January 1, 2009. She said that in that event, 12 months of 2008 would be spent in conducting the reassessment, and she would appreciate having an additional six months beginning in July 2007.

Mr. Maddox pointed out that the Board did not have a resolution for consideration and recommended that the matter be postponed for 30 days to allow time to prepare the legal document.

Mr. Nixon moved, seconded by Mr. Aylor, to postpone action for 30 days.

Mr. Coates asked whether the present staff could do the fieldwork necessary for a reassessment. Mrs. Yowell replied that throughout the State, the per parcel count averaged from 2,300 to 5,500 parcels per appraiser and County staff, including a trainee, averaged over 7,000 per appraiser. She said that adding staff would bring the average to 4,500 parcels per appraiser, including the fieldwork and conducting the hearings.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported that the Rules Committee was forwarding a suggestion to establish a Motor Pool Committee, without a recommendation. He said the Committee felt that the Chairman already had the authority to establish an ad hoc committee, if he would like to do so, and it was important to have representatives from the School System, Sheriff's Office, Department of Human Services to participate.

Mr. Coates stated that pooling the County's cars would save money. He pointed out that the Department of Human Services had been taking advantage of the DMV sales in Richmond for many years to reduce costs. He said he was in favor of establishing a committee and asked for the Board's comments.

Mr. Chase stated he was in favor of establishing a committee if it would monitor and control the use of the County's vehicles.

Mr. Nixon pointed out that the County Administrator had earlier reviewed the various departments' vehicles in an effort to consolidate, but it was not successful. Mr. Bossio agreed he had worked with the School System, the Town, and the Sheriff's Office, but the issue was that the School System required certified school bus mechanics. He said that issue could be revisited if the ad hoc committee wished.

Mr. Nixon said in view of Mr. Bossio's comment, he would not be opposed to forming a committee.

Mr. Coates requested 60 days in order to develop guidelines regarding the functions of the committee.

Mr. Walker moved, seconded by Mr. Nixon, to postpone for 60 days in order to establish rules and guidelines.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported the next item was a recommendation to reimburse the Culpeper Recreation Foundation, Inc., for building permit fees.

Mr. Walker moved, seconded by Mr. Chase, to reimburse the Culpeper Recreation Foundation \$1,205.85 for building permit fees.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported the final item from the Rules Committee was a recommendation to authorize the Disability Services Board to apply for an RSIF Grant, which would require a 10 percent matching amount to be transferred from operational funds up to \$1,500.

Mr. David Scott, Chairman of the Disability Services Board, was present to answer any questions. There were none.

Mr. Walker moved, seconded by Mr. Chase, to approve the request made by the Disability Services Board.

Mr. Chase commended the Disability Services Board for its activities and accomplishments.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #3 for details of meeting.

#### **PUBLIC WORKS COMMITTEE REPORT - MARCH 13, 2007**

Mrs. Hansohn reported that the Public Works Committee met, but there were no action items to bring forward to the full Board.

See Attachment #4 for details of meeting.

#### **PUBLIC SAFETY COMMITTEE REPORT - MARCH 15, 2007**

Mr. Nixon reported that the Public Safety Committee met and was forwarding the following recommendation to the full Board:

1. Recommending to the full Board approval of the Training Coordinator job description as presented.

Mr. Nixon stated that the Fire and Rescue Association had worked with staff to develop a job description for a Training Coordinator that would fit their needs and the needs of the County.

Mr. Nixon moved, seconded by Mr. Chase, to approve the job description of the Training Coordinator for the Fire and Rescue Association.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Coates stated that an article appeared in the April 2<sup>nd</sup> *Culpeper Star-Exponent* that a local rescue squad was currently accepting bids from Virginia licensed EMS agencies for contracting to provide services in Culpeper County. He asked that the Public Safety Committee investigate whether this was a legal action.

Mr. Chase suggested to hold Company 11's funds until the issue was resolved.

Mr. Nixon stated that the Public Safety Committee would take the Chairman's request under advisement and report back to the full Board.

See Attachment #5 for details of meeting.

#### **PERSONNEL COMMITTEE - MARCH 15, 2007**

Mr. Nixon reported that the Personnel Committee met and was forwarding the following recommendations to the full Board:

1. Recommending to the full Board to reclassify the position of Business Auditor in the Commissioner of the Revenue's office from grade 3 to grade 7; and
2. Recommending to the full Board to adopt a new Deputy County Attorney position as grade 13 and approve a new job description;

Mr. Nixon explained that the reason for the recommendations was that the job descriptions of two positions had changed and needed to be upgraded.

Mr. Nixon moved, seconded by Mr. Walker, to approve the reclassification and upgrade the position of Business Auditor from Grade 3 to Grade 7.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Nixon stated that the second recommendation was to adopt a new Grade 13 Deputy County Attorney position and to approve the accompanying job description. He

explained that the change was necessary because the Assistant County Attorney could not act in the absence of the County Attorney.

Mr. Nixon moved, seconded by Mr. Chase, to approve the new position and the accompanying job description.

Mr. Maddox explained that the Board had previously adopted a resolution that would allow the Assistant County Attorney to sign documents in the County Attorney's absence, but that was a function of a Deputy County Attorney. He said the position of Deputy was more common in larger and faster growing counties, and since Mr. Taylor was already acting as a Deputy, it would be appropriate for him to have an accurate job description. He added there was no intent to hire an Assistant County Attorney.

Mrs. Hansohn stated the change would be giving Mr. Taylor a new job description and a pay increase. Mr. Chase said there was no pay increase involved. Mr. Maddox agreed.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #6 for details of meeting.

### **ECONOMIC DEVELOPMENT REPORT**

Mr. Carl Sachs, Economic Development Director, provided an update of the commercial business activity at the Culpeper Centre and noted a number of tenants were getting ready to open in that location. He said there were also some interesting industrial issues coming before the Planning Commission.

Mr. Sachs announced that Business Appreciation Week was the second week in May and the Business Appreciation Mixer would be held at the Culpeper Country Club on May 14, from 5:30 p.m. to 7:30 p.m.

### **AIRPORT ADVISORY COMMITTEE REPORT - MARCH 14, 2007**

Mr. Bossio reported that the Airport Advisory Committee met, but there were no actions items to bring forward.

### **ADMINISTRATOR'S REPORT**

Mr. Bossio announced that:

1. The public hearing on the proposed budget was scheduled for April 17, 2007, at 7:00 p.m., in the Board room; and

2. The adoption of the budget and setting of tax levies for the calendar year was scheduled for April 25, 2007 at 10:00 a.m.

Mr. Coates recognized Mayor Pranas Rimeikis, who was in the audience and thanked him for the Town's movement regarding the water line for the high school. He said he was looking forward for the Town Council's vote next week.

**CLOSED SESSION**

Mr. Nixon moved to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons:

1. Under *Virginia Code* §2.2-3711(A)(1), to consider: (A) An appointment to the Economic Development Advisory Commission to fill one vacancy for a three-year term; (B) an appointment to the Town and County Joint Board of Zoning Appeals (BZA) to fill one vacancy for a five-year term; and (C) readvertising for an appointment to the Piedmont Workforce Network to fill one vacancy for a two-year term.

2. Under *Virginia Code* §2.2-3711(A)(7) and (A)(30), for discussion with legal counsel and staff to consider the terms and scope of one or more agreements with another public entity and legal issues of performance under several existing agreements with the same public entity, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

3. Under *Virginia Code* §2.2-3711(A)(3) and (A)(7), for discussion with legal counsel and staff regarding the acquisition of privately owned real property in the County for potential use by the Parks and Recreation Department, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

4. Under *Virginia Code* §2.2-3711(A)(7), for discussion with legal counsel and staff regarding possible litigation concerning asserted invalidity of a County Ordinance, where discussion in an open meeting would adversely affect the negotiating and litigation posture of the County.

5. Under *Virginia Code* §2.2-3711(A)(7) and (A)(30), for discussion with legal counsel and staff regarding negotiations of a contract with another public entity located outside of the County, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

6. Under *Virginia Code* §2.2-3711(A)(7) and (A)(30), for discussion with legal counsel and staff regarding review and potential amendment of a contract with a nongovernmental agency, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

Seconded by Mr. Aylor.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Nay – Chase

Motion carried 6 to 1.

Mr. Coates called for a recess at 12:32 p.m.

The Board entered into closed session at 2:30 p.m.

The Board returned to open session at 4:35 p.m.

Mr. Coates polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Ayes – Aylor, Walker, Coates, Nixon, Rosenberger, Hansohn

Mr. Coates asked that the record show Mr. Chase was not present for the closed session.

**RE: APPOINTMENT TO ECONOMIC DEVELOPMENT ADVISORY COMMISSION**

Mr. Nixon moved, seconded by Mr. Aylor, to appoint Frank P. Andrews to Economic Development Advisory Commission to fill a one-year vacancy.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: APPOINTMENT TO TOWN/COUNTY JOINT BOARD OF ZONING APPEALS**

Mr. Nixon moved, seconded by Mrs. Hansohn, to recommend to the Circuit Court Judge that Thomas A. Seay be reappointed to the Joint Town/County Board of Zoning Appeals.



Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: PIEDMONT WORKFORCE NETWORK**

Mr. Nixon moved, seconded by Mr. Walker, to readvertise for an appointment to the Piedmont Workforce Network to fill a vacancy for a two-year term.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: ACQUISITION OF APPROXIMATELY 31 ACRES**

Mr. Nixon moved, seconded by Mr. Aylor, that the Board authorize the County Administrator to proceed with the acquisition of approximately 31 acres of specific property located at Korea in the Catalpa District.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

**RE: SERVICE ON ECONOMIC DEVELOPMENT ADVISORY COMMISSION**

Mr. Nixon moved, seconded by Mr. Walker, to thank Roger White for his service to the Economic Development Advisory Commission.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

**ADJOURNMENT**

Mrs. Hansohn moved to adjourn at 4:33 p.m.

Peggy S. Crane, CMC  
Deputy Clerk

---

John F. Coates, Chairman

ATTEST:

Frank T. Bossio  
Clerk to the Board

APPROVED: May 1, 2007